

PATENT
112171-004.A
(Formerly TARINFO.016A)

REMARKS

Claims 51-140 are pending in the application and are presented for reconsideration and further examination of the following remarks.

In the office action the claims were made subject to an election requirement. The office action identified two species. Species I was described as the feature of "a location and radius defined area." It was further stated that claim 117 and its dependent claims correspond to this species. Species II was described as "the generic feature of a polygon defined area." Applicant respectfully traversed this species election requirement.

Species Election

Applicant hereby elects species II with traverse. Presently, Claims 129-140 are readable on species II. Claims 57-116 are generic.

Traverse

As noted above, Applicant respectfully traverses the election of species requirement in the Office Action. An examination of the entire application can be made without serious burden. Only 12 claims are limited to species I and 12 claims are limited to species II. The vast majority of the pending claims are generic. In addition, each of the identified species is an example of a type of definition or determination of a geographic area. Examining a claim set with two geographic area definitions is not unreasonable. It is believed that both of the definitions fall within the same class and subclass.

In addition, Applicant notes that this species requirement is the third office action in this application. An office action on the merits has already been issued and responded to. Therefore, Applicant respectfully submits that it is unfair and unduly extends the prosecution of the present application to impose an election of species at this time.

Applicant respectfully requests that the election of species be withdrawn.

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Summary of Interview

The undersigned spoke with Examiner Jeanty by telephone on July 5, 2005. During that telephone call the present species election requirement was discussed. The Examiner stated that the election requirement would be withdrawn in response to Applicant filing a traverse of that election requirement.

CONCLUSION

In view of the Office Action on the merits dated October 18, 2004 and Applicant's response to that Office Action filed January 4, 2005, Applicant respectfully submits that the pending application is in condition for allowance. The Examiner is respectfully requested to contact the undersigned by telephone if he believes there are any other impediments to allowance.

Applicant does not believe there are any fees required for filing this response. However, the Commissioner is authorized to charge any required fees to deposit account No. 50-2075.

Respectfully submitted,


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Dated: July 20, 2005

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